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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT SEATTLE

9 ROBERTO ORTIZ,
10 Plaintiff,
11 v.
12 HOMELAND SECURITY,
13 Defendant.

14 Case No. C05-0948RSL

15 ORDER VACATING ORDER
16 TO SHOW CAUSE; RENOTING
17 MOTION

18 On June 12, 2006, the Court granted defendant's motion for a more definite
19 statement and ordered plaintiff to file, within thirty days, an amended complaint which
20 complied with the pleading requirements of Fed. R. Civ. P. 8(e)(1) and "which clearly
21 states plaintiff's Alien Number and date of birth." (Dkt. #22). The Court dismissed this
22 case on July 25, 2006 because plaintiff did not file an amended complaint. After
23 receiving a letter with additional information from plaintiff, the Court vacated the order
24 of dismissal on August 17, 2006 and again ordered plaintiff to file an amended complaint.

25 Plaintiff filed an amended complaint on August 24, 2006. It includes his Alien
26 Number, date of birth, and a statement of his claims. Accordingly, the order to show
cause is VACATED. Plaintiff's amended complaint (Dkt. #28) is the operative complaint

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1 in this case.

2 Before plaintiff's case was dismissed, he filed a "Motion for Release from
3 Homeland Security and Compensation for Violation of Civil and Human Rights" (Dkt.
4 #19) (the "Motion for Release") which the Court construed as a dispositive motion. Now
5 that the case has been reopened, the Clerk of the Court is directed to RENOTE plaintiff's
6 Motion for Release for consideration on September 22, 2006.

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8 DATED this 28th day of August, 2006.

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11 Robert S. Lasnik
12 United States District Judge

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26 ORDER VACATING ORDER
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